

1 RENE L. VALLADARES
Federal Public Defender
2 Nevada State Bar No. 11479
ROBERT O'BRIEN
3 Assistant Federal Public Defender
Nevada State Bar No. 10944
4 411 E. Bonneville, Ste. 250
Las Vegas, Nevada 89101
5 (702) 388-6577/Phone
(702) 388-6261/Fax
6 Robert_OBrien@fd.org
7 Attorney for DERRICK JOSEPH RADY

8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11
12 UNITED STATES OF AMERICA,
13 Plaintiff,
14 v.
15 DERRICK JOSEPH RADY,
16 Defendant.

Case No. 3:17-CR-00045-HDM-WGC
ORDER GRANTING
**STIPULATION TO CONTINUE
SENTENCING HEARING**
(Fifth Request)

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18 IT IS HEREBY STIPULATED AND AGREED by and through Federal Public
19 Defender Rene L. Valladares and Assistant Federal Public Defender Robert O'Brien, counsel
20 for DERRICK JOSEPH RADY, and United States Attorney Nicholas A. Trutanich and
21 Assistant United States Attorney Richard Casper, counsel for the UNITED STATES OF
22 AMERICA, that the Sentencing hearing set for January 26, 2021, at 11:00 AM, be vacated and
23 continued to March 16, 2021, at 12:30 PM.

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1 The continuance is necessary for the following reasons:

2 1. This is a joint request by counsel for the Government and counsel for the
3 Defendant, Mr. Derrick Rady.

4 2. The additional time requested by this Stipulation is reasonable pursuant to
5 Federal Rule of Criminal Procedure 32(b)(2), which states that the “court may, for good cause,
6 change any time limits prescribed in this rule.”

7 3. Both counsel request this additional time in order to allow adequate time to
8 research sentencing issues and to prepare for the sentencing hearing.

9 4. The government has discovered evidence that may be relevant to Mr. Rady’s
10 case and exculpatory. As a result of COVID-19 restrictions in government offices and the
11 protective order in place in this case, to date, defense counsel has had an opportunity to partially
12 review this material. Defense counsel requires additional time to complete the document review
13 and any follow-up investigation.

14 5. Defense counsel will need to completely and thoroughly review the
15 government’s discovered evidence in order to advise Mr. Rady on whether or not he should
16 petition to withdraw his guilty plea in this case.

17 6. Mr. Rady is currently detained and agrees with the continuance.

18 7. This is the fifth request for continuance of the sentencing hearing.

19 DATED this 15th day of January, 2021.

20 RENE L. VALLADARES
21 Federal Public Defender

NICHOLAS A. TRUTANICH
United States Attorney

22 By: /s/ Robert O’Brien
23 ROBERT O’BRIEN
24 Assistant Federal Public Defender
25 Counsel for
26 DERRICK JOSEPH RADY

By: /s/ Richard B. Casper
RICHARD B. CASPER
Assistant United States Attorney
Counsel for the Government

ORDER

Based on the Stipulation of counsel, and good cause appearing,

IT IS THEREFORE ORDERED that the Sentencing Hearing currently set for January 26, 2021 be vacated and continued to **March 16, 2021, at 12:30 PM** in Reno Courtroom 4 before Judge Howard D. McKibben. IT IS SO ORDERED.

DATED this 15th day of January, 2021.



UNITED STATES DISTRICT JUDGE